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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/576,164

04/19/2006

Mark Thomas Johnson

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10/13/2009

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

SPAR, ILANA L

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

10/13/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/576,164	JOHNSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	ILANA SPAR	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Amundson et al. (International Patent Publication No. WO 03/044765).

With reference to claim 1, Amundson et al. teaches an electrophoretic display device comprising electrophoretic particles, an array of display elements comprising a pixel electrode and a counter electrode between which a portion of the electrophoretic particles are present (see page 23, lines 13-21), and control means (16) for supplying one or more potentials differences to the electrodes during a transition period to bring the display elements in a predetermined optical state from a previous optical state to produce an image change (see page 41, lines 24-29 and page 42, lines 5-8) wherein the control means for supplying one or more potential differences to the electrodes are arranged such that the one or more potential differences to bring the display elements in a predetermined optical state to produce an image on the display device end for substantially all elements of the array within a time spread period less than 75%/2 of the maximum transition period (see page 32, lines 1-2).

With reference to claim 2, Amundson et al. teaches all that is required with reference to claim 1, and further teaches that the time spread period is less than 25% of the maximum transition period (see page 32, lines 1-2).

With reference to claim 3, Amundson et al. teaches all that is required with reference to claim 2, and further teaches that the time spread period is a frame time or less (see page 32, lines 1-2 – a frame time must be longer than the time spread period as taught by Amundson et al., because Amundson teaches that the time spread period is essentially zero).

With reference to claim 4, Amundson et al. teaches all that is required with reference to claim 1, and further teaches that the control means for supplying one or more potential differences to the electrodes are arranged such that the final grey scale determining potential difference of the one or more potential differences to bring the display elements in a predetermined optical state to produce an image on the display device substantially occur at the same instance for substantially all elements of the array (see page 32, lines 1-2).

With reference to claim 5, Amundson et al. teaches all that is required with reference to claim 1, and further teaches that the control means are arranged for controlling the one or more potential differences of each of the plurality of picture elements

to be a reset potential difference having a reset value and a reset duration during a reset period (see page 41, lines 24-29), and subsequently

to be a grey scale potential difference for enabling the particles to occupy the position corresponding to image information (see page 42, lines 5-8).

With reference to claim 6, Amundson et al. teaches all that is required with reference to claim 5, and further teaches that the control means are arranged for applying an over-reset potential (see page 41, lines 28-29 – the over-reset potential is the flashing of the reset pulse, which continues to reset the pixels at each flash, and can be carried out as many times as desired).

With reference to claim 7, Amundson et al. teaches all that is required with reference to claim 5, and further teaches that the control means are arranged for synchronizing the end of the reset potential differences (see page 32, lines 1-2 - the controller generates and applies the driving signals, such that it is responsible for the synchronization of the signals).

With reference to claim 8, Amundson et al. teaches all that is required with reference to claim 5, and further teaches that the control means are arranged for applying in between the reset potential differences and the grey scale potential differences preset potential differences (see page 42, lines 13-19).

With reference to claim 9, Amundson et al. teaches a method for driving an electrophoretic display device comprising:

an electrophoretic medium comprising charged particles (see page 23, line 19);

a plurality of picture elements (see page 23, lines 13-21), in which method one or more potential differences are applied to elements of the display device to bring the elements within a transition period in a predetermined optical state from a previous

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optical state to effect a change in the displayed image (see page 41, lines 24-29 and page 42, lines 5-8), wherein

application of the one or more potential differences substantially end within a time period less than 75%/2 of the maximum transition period (see page 32, lines 1-2).

With reference to claim 10, Amundson et al. teaches all that is required with reference to claim 9, and further teaches that to bring an element to a predetermined optical state from a previous optical state a reset potential difference followed by a grey scale potential difference is applied, and for substantially all elements in the array application of the final grey scale determining potential difference occurs at substantially the same instance (see page 32, lines 1-2).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ILANA SPAR whose telephone number is (571)270-7537. The examiner can normally be reached on Monday-Thursday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571)272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bipin Shalwala/  
Supervisory Patent Examiner, Art Unit 2629

ILS